

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
September 11, 2001, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation
 - Pledge of Allegiance
 - Approve the minutes of the previous meeting
-

AWARDS AND PRESENTATIONS

- Youth Recognition – Wichita’s Promise
 - Proclamations
-

PUBLIC AGENDA

1. Sam W. Kelso - Citizens on Patrol.
-

NEW BUSINESS

2. Issuance of Health Care Facilities Refunding Revenue Bonds – Presbyterian Manors, Inc.

Bond proceeds will be used to refinance currently existing debt and construct improvements and acquire equipment for the PMI facilities in Kansas.

RECOMMENDED ACTION: Close public hearing; approve
first reading of Ordinance;
authorize necessary signatures.

3. [Approve Advance Refunding of Bonds – Newman University.](#) (District IV)

Bond proceeds will be used for construction of a new residence hall, maintenance facility, sports and fine arts complex, renovation of a food services facility, reimbursement for capital expenditures and retirement of certain existing debt.

RECOMMENDED ACTION: Close public hearing; adopt Resolution; authorize necessary signatures.

4. [Issuance of Industrial Revenue Bonds – Kansas Blue Print, Inc.](#) (District I)

Bond proceeds will be used to finance cost of acquiring, constructing and equipping expanded plant facility.

RECOMMENDED ACTION: Close public hearing; approve first reading of Ordinance; authorize necessary signatures.

5. [Assignment of Hospital Facility Leases – Riverside Health System.](#) (District VI)

Assumption by New Via Christi of outstanding Riverside Bond indebtedness per agreement dated August 1, 2001.

RECOMMENDED ACTION: Approve assumption and first reading Ordinance; authorize necessary signatures.

6. [Low-Income Housing Tax Credits Application.](#) (District VI)

Resolution in support of Garrison Development Company to obtain Low-Income Housing Tax Credits toward renovation of the International Harvester building, 355 North Rock Island.

RECOMMENDED ACTION: Close the public hearing; adopt the Resolution; authorize necessary signatures.

7. [Health Department Transformation - Creating New Health Department and Board](#)

City and County Staffs have been working on the transfer of Personal Health Services under the governance of the County and Environmental Health under the governance of the City. By adopting the joint ordinance, the City and County governing bodies will implement this transition.

RECOMMENDED ACTION: Approve transfer of services; adopt Ordinance on first reading.

8. [Modification](#) to the Rank Grass Ordinance 7.40.060.

Amendment delegating notice of pending enforcement action concerning rank grass from the City Clerk to the Health Department.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

9. [Mandated](#) New State Clean Drinking Water Fee.

Election to “opt out” of newly created Clean Drinking Water Fee will allow City to continue to pay retail sales tax on water utility purchases, realizing an overall savings.

RECOMMENDED ACTION: Notify State of the City's intention to opt out of imposed water fee.

10. [Grove Park Plan.](#) (District I)

Master plan includes development of a greenway to connect with Chisholm Creek Park, renovation of an existing football field, construction of an additional new football field and a fitness and running trail

RECOMMENDED ACTION: Approve the plan.

(10:30 a.m.)

11. [Repair](#) or Removal of Dangerous and Unsafe Buildings.

The City Council previously adopted Resolutions scheduling a hearing for 10:30 a.m. on the following properties:

	<u>Address</u>	<u>District</u>
1.	948 West 51 st Street North	VI
2.	1747 South Euclid	IV
3.	1251 North Broadway	VI
4.	213 North Baehr	IV
5.	2744-48 South Vassar	III

RECOMMENDED ACTION: Close the public hearing; make appropriate findings; adopt Resolutions.

CITY COUNCIL AGENDA

12. [Approval of Travel Expenses for Council Member Gale to Portland, ME, October 4-7, 2001, for NLC Public Safety and Crime Prevention Steering Committee Meeting.](#)

RECOMMENDED ACTION: Approve the expenditures.

13. Selection of League of Kansas Municipalities Annual Conference Voting and Alternate Voting Delegates.

The City of Wichita may select up to a maximum of five (5) voting delegates and five (5) alternate voting delegates to represent the City in the conduct and management of the affairs of the League at the Annual Conference to be held in Wichita, October 6-9, 2001.

RECOMMENDED ACTION: Approve the voting and alternate delegate(s).

14. Selection of National League of Cities Annual Business Meeting Voting and Alternate Voting Delegates.

The City of Wichita may select one Voting Delegate and one Alternate Voting Delegate to represent the City in the conduct and management of the affairs of the National League of Cities at the Annual Congress of Cities – Atlanta, Georgia, December 4-8, 2001.

RECOMMENDED ACTION: Approve the voting and alternate delegate(s).

15. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

16. Proclamations:

--Leukemia and Lymphoma Awareness Month
--American Business Women's Day

RECOMMENDED ACTION: Authorize issuance of the Proclamation.

CONSENT AGENDA

17. Report of the Board of Bids and Contracts Dated September 10, 2001.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

18. Application for License for Adult Entertainment Establishments/Services:

Renewal Adult Entertainment

Norman Massey Jr. Zigefields 4200 West Kellogg

RECOMMENDED ACTION: Approve license subject to Staff review and approval.

19. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2001</u>	<u>(Consumption on Premises)</u>
Jesse D. Soria	Cholitas Mexican Restaurant*	8987 West Central
<u>Special Event</u>	<u>September 15-16</u>	
	American GI Forum	1530 West 21 st Street

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

20. Plans and Specifications.

a) Intersection Improvements at 21st Street North and Arkansas Avenue (21st Street North and Arkansas). (87 N-0194-01/472-82783/706799) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/25/2000.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids by 10:00 a.m., October 9, 2001.

21. Preliminary Estimates:

- a) Funston, from the west line of Lot 37, Block 2 to Greenwich Road; Derrick Circle, north of Funston including the cul-de-sac; Justin Circle, north of Funston including the cul-de-sac to serve Smithmoor 10th Addition - south of Harry, west of Greenwich. (472-83396/765688/490799) Does not affect existing traffic. (District II) - \$298,000.00
- b) Lateral 4, Main 3, Northwest Interceptor Sewer to serve West Ridge Estates - south of 29th, east of 119th Street. (468-83103/743880/480568) Does not affect existing traffic. (District V) - \$182,000.00
- c) Water distribution system to serve Ridge Port North Third & Fourth Additions - south of 37th, east of Ridge. (448-89503/734991/470661) Does not affect existing traffic. (District V) - \$185,000.00
- d) Water distribution system to serve Lot 20, Block 1, Fruitvale Park Addition. (448-89482/734975/470-645). Traffic to be maintained during construction using flagpersons and barricades. (District V). Total Estimated Cost - \$8,000.00
- e) Water distribution system to serve O-Dell White Addition. (448-89562/735009/470-679). Traffic to be maintained during construction using flagpersons and barricades. (District V). Total estimated cost - \$3,120.00
- f) Water Distribution System to serve Lot 20, Block 1, Fruitvale Park Addition. (448-89482/734975/470-645). Traffic to be maintained during construction using flagpersons and barricades. (District V). Total estimated cost - \$8,000.00.

- g) Water Distribution System to serve O-Dell White Addition. (448-89562/735009/470-679). Traffic to be maintained during construction using flagpersons and barricades. (District V). Total estimated cost - \$3,120.00.
- h) (Amended) 1996 intersection program- Harry & Edgemoor, Harry & West, Lincoln & Woodlawn, 47th & Emporia, 2nd/3rd & Broadway, 13th & Waco, 13th & Broadway, Lincoln & Edgemoor, Pawnee & Oliver and Seneca & Maple. (472-82668/706291/405-183). Traffic to be maintained during construction using flagpersons and barricades. (Districts II, III, IV, and IV). Total estimated cost- \$3,075,000.00- \$1,075,000.00- GO, \$2,000,000.00
- i) (Amended) Oliver from 25th Street North to 35th Street North. (472-82588/706184/405-172). Traffic to be maintained during construction using flagpersons and barricades. (District I). Total estimated cost - \$2,261,000.00- \$661,000.00- GO, \$1,600,000.00
- j) (Amended) Central from I-235 to West Street. (472-83014/706762/208-230). Traffic to be maintained during construction using flagpersons and barricades. (District IV, VI). Total estimated cost- \$3,200,000.00- \$900,000.00- GO, \$2,300,000.00
- k) (Amended) Bicycle path on the west bank of the Arkansas River, from Meridian to 13th Street North. (472-82619/785485/440-079). Traffic to be maintained during construction using flagpersons and barricades. (District VI). Total estimated cost - \$321,000.00- \$120,000.00- GO, \$201,000.00

RECOMMENDED ACTION: Accept documents.

22. Easements:

- a) Easement by and between the City of Wichita, Kansas, a Municipal Corporation, of the first part and the City of Wichita, of the second part.
- b) Drainage Easement dated August 7, 2001 from Amber Ridge, L.L.C., a Kansas Limited Liability Company, for tracts of land in Lots 3 and 4, Block A, Flat Creek Addition, Wichita, Sedgwick County, Kansas (Flat Creek, OCA# 751299). No cost to City.
- c) Drainage Easement dated August 8, 2001, from Doris M. Rishel and Howard A. Rishel, Trustees of the Doris M. Rishel Trust u/t/a dated September 14, 2000, for a tract of land in the SW 1/4 of Sec. 26, Twp. 27S, R-2-W of the 6th P.M., Sedgwick County, Kansas (Auburn Hills 11th, OCA #765692). No cost to City.
- d) Utility Easement dated July 9, 2001 from Bryan Lagaly Homes, Inc. for tracts of land in Lots 79 through 87 inclusive, Block 2, The Courts II, an Addition to Wichita, Sedgwick County, Kansas (The Courts II, OCA #743883). No cost to City.
- e) Utility Easement dated July 10, 2001 from Bryan Lagaly Homes, Inc. for tracts of land in the NE 1/4 of Sec. 1, Twp. 27S, R-1-E of the 6th P.M., Sedgwick County, Kansas (The Courts II, OCA #743883). No cost to City.

RECOMMENDED ACTION: Approve and file.

23. Petitions:

- a) [Storm](#) water drain to serve YMCA South Addition – west of Meridian, north of MacArthur. (District IV)
- b) [Storm](#) water sewer to serve K.T. Wiedemann Business Park - south of Kellogg, west of Greenwich. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

24. Minutes of Advisory Boards/Commissions:

District Advisory Board VI, May 7, 2001
District Advisory Board I, May 21, 2001
Wichita Airport Advisory Board, June 4, 2001
District Advisory Board I, June 4, 2001
District Advisory Board II, June 4, 2001
District Advisory Board V, June 4, 2001
District Advisory Board IV, June 6, 2001
Housing Advisory Board, June 19, 2001
Wichita Employees' Retirement System, June 20, 2001
Board of Code Standards and Appeals, June 25, 2001
Police and Fire Retirement System, June 27, 2001
Deferred Compensation Board of Trustees, June 28, 2001
District Advisory Board VI, July 2, 2001
Deferred Compensation Board of Trustees, July 3, 2001
Metropolitan Area Planning Commission, July 5, 2001
Board of Park Commissioners, July 9, 2001
District Advisory Board V, July 9, 2001
Wichita-Sedgwick County Board of Health, July 12, 2001
District Advisory Board I, July 16, 2001
Wichita Public Library, July 17, 2001
Wichita Employees' Retirement System, July 18, 2001
District Advisory Board IV, July 18, 2001
District Advisory Board VI, July 18, 2001
Wichita-Sedgwick County Board of Health, July 19, 2001
Board of Park Commissioners, July 19, 2001
Design Council, July 19, 2001
Wichita Sedgwick County Alternative Correctional Housing Advisory Board, July 19, 2001
Metropolitan Area Planning Commission, July 19, 2001
Police and Fire Retirement System, July 25, 2001
Board of Park Commissioners, July 24, 2001
Wichita Public Library, August 21, 2001

RECOMMENDED ACTION: Receive and file.

25. [Consideration of Street Closures/Uses.](#)

RECOMMENDED ACTION: Approve street closures/uses.

26. Agreements/Contracts:

- a) [Leasing](#) of antenna site at Herman Hill Park. (District III)
- b) [Construction](#) engineering for Central and Rock Road intersection. (District II)
- c) [Supplemental](#) for wayfinding graphics and signage – downtown. (Districts I, IV, and VI)
- d) [Art](#) Museum expansion. (District VI)
- e) [USD](#) 259 After School Recreation Program. (Districts III and IV)
- f) [Power](#) CDC/CHDO project – northeast and north central area redevelopment. (Districts I and VI)
- g) [Recruitment](#) services.
- h) [Railroad](#) pipeline crossing sanitary sewer and waterline for Farmland Industries building at 29th Street and Ohio Street. (District VI)
- i) [Trash](#) collection services - Housing Authority.
- j) [Southeast](#) transmission main.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

27. Design Services Agreements:

- a) [Supplemental](#) – water distribution system – 13th Street to 21st Street, Hydraulic to Hillside. (District I)
- b) [Whispering](#) Brook Commercial Second Addition – south of 37th Street North, west of Woodlawn. (District I)
- c) [Riverside](#) Park improvements and renovations. (District I)
- d) [Harrison](#) Park Second Addition – east of Webb, north of Lincoln. (District II)
- e) [Public](#) housing exterior façade project – northeast Wichita.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

28. Change Orders:

- a) [Central](#) and Ridge Road intersection improvement. (District V)
- b) [2001](#) Contract street Maintenance program. (District V)
- c) [2001](#) Contract street maintenance program. (Districts II, IV and VI)

- d) [Street](#) paving in Legacy Park Wilson Estates Addition – south of 21st, west of Webb. (District II)
- e) [K-96](#) Bicycle pedestrian path through Chisholm Creek Park and along K-96, from Oliver to east of Webb Road. (Districts I and II)

RECOMMENDED ACTION: Approve Change Orders; authorize necessary signatures.

29. Funding for USA Office - North American International Trade Corridor Partnership.

RECOMMENDED ACTION: Approve the funding; authorize City Manager to execute Contracts.

30. Hall's Culligan Water – Request for Extension of Letter of Intent and Waiver of Payment and Performance.

RECOMMENDED ACTION: Approve extension and waiver.

31. Application for City Water Service Outside Corporate Limits.

RECOMMENDED ACTION: Approve; authorize necessary signatures.

32. Anti-Litter and Environmental Education/Marketing Agency.

RECOMMENDED ACTION: Approve the agency; authorize necessary signatures.

33. Northeast Baseball/Softball Complex. (District II)

RECOMMENDED ACTION: Approve project; adopt Resolution; authorize selection of design consultant.

34. 2002 and 2003 Kansas CLICKS Step Grant Application – Police Department.

RECOMMENDED ACTION: Approve Grant application and receipt of funds; authorize necessary signatures.

35. Comprehensive Transportation Program Grant – Wichita Transit.

RECOMMENDED ACTION: Approve Grant application and receipt of funds; authorize necessary signatures.

36. [Amendment](#) of 2001 Agency Plan and Section 8 Administrative Plan.

RECOMMENDED ACTION: Approve the amendments.

37. [Title Insurance, Abstract and Other Related Services – Selection of Vendor.](#)

RECOMMENDED ACTION: Approve selection; authorize necessary signatures.

38. [Copier/Network Printer/Fax/Scan Machines.](#)

RECOMMENDED ACTION: Approve provider; authorize issuance of Contract and necessary signatures.

39. [Release of Industrial Revenue Bond Property - The Coleman Company, Inc. \(District V\)](#)

RECOMMENDED ACTION: Approve the release and first reading of the Ordinance; authorize necessary signatures.

40. [Transfer Environmental Health Contingency Funds.](#)

RECOMMENDED ACTION: Approve transfer of funds.

41. [Automatic Emergency Generator for Refrigerator/Freezer Units.](#)

RECOMMENDED ACTION: Approve the purchase.

42. [Modifications to Webb Road Reservoir.](#)

RECOMMENDED ACTION: Approve project; authorize request for proposals.

43. [River Festival Police Services Payment.](#)

RECOMMENDED ACTION: Authorize payment.

44. [Local Law Enforcement Block Grant.](#)

RECOMMENDED ACTION: Approve application and receipt of funds; authorize necessary signatures.

45. [Release of Hardship Deferral Liens.](#)

RECOMMENDED ACTION: Approve the releases; authorize necessary signatures.

46. [Weapons Destruction.](#)

RECOMMENDED ACTION: Receive and file the list.

47. [Proposed Special Assessment Rolls.](#)

Proposed Assessment Rolls have been prepared for 16 paving projects, and it is necessary to set a public hearing date. Informal hearing with City personnel will be held October 1, 2001.

RECOMMENDED ACTION: Set the public hearing for 11:00 a.m., Tuesday, October 16, 2001.

48. [Resolutions:](#)

- a) [Amending](#) Resolution – Burlington Northern and Santa Fe Railway crossing at Pawnee. (District III)
- b) Street Resolution #2-01.

RECOMMENDED ACTION: Adopt the Resolutions.

49. [First Reading Ordinance:](#)

- a) Special assessments – weed mowing.

An Ordinance making a special assessment to pay for the cost of cutting weeds in the City of Wichita, Kansas.

RECOMMENDED ACTION: Approve first reading of Ordinance.

[Second Reading Ordinance:](#) (First read August 21, 2001)

- a) ZON2000-46– Southeast corner of 135th Street West and 21st Street North. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. ZON2000-46

RECOMMENDED ACTION: Adopt Ordinance.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

- 50.* [VAC2001-00027](#) - Vacate Entire L & D Taylor Plat - Generally Located Southwest of 63rd Street South and Hydraulic Intersection. (District III)

RECOMMENDED ACTION: Approve Vacation Order; authorize necessary signatures.

- 51.* [VAC2001-00029](#) - Request to Vacate 210 Foot Building Setback, Lot 2, West Kellogg Power Center - Generally Located Southwest of Hoover and Taft Intersection. (District V)

RECOMMENDED ACTION: Approve Vacation Order; authorize necessary signatures.

- 52.* [VAC2001-00032](#) – Vacate Ten-Foot Utility Easement Located Southeast of the Harry/Webb Intersection. (District II)

RECOMMENDED ACTION: Approve Vacation Order; authorize necessary signatures.

- 53.* [VAC2001-00035](#) - Request to Vacate Platted 30 Foot Building Setback. Generally Located Northwest of 31st Street South – Seneca Intersection, Kelly Elementary School. (District IV)

RECOMMENDED ACTION: Approve Vacation Order; authorize necessary signatures.

- 54.* [VAC2001-00036](#) -Request to Vacate Utility Easement. Generally, Located Northwest of Maize Road – Central Avenue Intersection. Lots 2 and 3, Block A, Timber Grove Lakes Second Addition. (District V)

RECOMMENDED ACTION: Approve Vacation Order; authorize necessary signatures.

- 55.* [DED2001-00022](#) -Dedication of a Utility Easement. Generally Located on the North Side Maple Street, East of Tyler Road. (District V)

RECOMMENDED ACTION: Accept the Dedication.

- 56.* [DED2001-00023](#) - Partial Dedication of Access Control. Generally Located on the North Side of Maple Street, East of Tyler Road. (District V)

RECOMMENDED ACTION: Accept the Dedication.

- 57.* [DED2001-00024](#) - Dedication of a Utility Easement. Generally Located on the East Side of Hillside, South of 31st Street South. (District V)

RECOMMENDED ACTION: Accept the Dedication.

- [58.* SUB2001-00006](#) - Plat of Schulte Country Storage Addition. Generally Located North of K-42 and MacArthur Road, West of Maize.

RECOMMENDED ACTION: Approve documents, plat, and first reading of Ordinance; adopt Resolutions; and authorize necessary signatures.

- 59.* [SUB2001-00048](#) - Plat of Equestrian Estates Addition. Generally Located on the Southeast Corner of 127th Street East and Harry. (District II)

RECOMMENDED ACTION: Approve documents, plat, and first reading of PUD2000-01 Ordinance; adopt Resolutions; authorize necessary signatures.

- 60.* [SUB2001-00072](#) - Plat of Legacy Second Addition. Generally Located on the West Side of Meridian, North and South of 44th Street South. (District IV)

RECOMMENDED ACTION: Approve documents and plat; adopt Resolutions; authorize necessary signatures.

- 61..* [ZON2000-00043](#) - Zone Change from "SF-5" Single-Family Residential to "TF-3" Two-Family Residential. Generally Located South of Maple, West of Auburn Hills Clubhouse Addition. (District V)

RECOMMENDED ACTION: Approve first reading of the Ordinance.

- 62.* [ZON2001-00044](#) Zone Change Request from “SF-5” Single-Family to “NO” Neighborhood Office. Generally Located South of 21st Street North between Webb and Greenwich. (District II)

RECOMMENDED ACTION: Concur with the findings of the MAPC
and approve the zone change, subject
to platting within one year;

OR

Return the application to the MAPC for reconsideration.

- 63.* [ZON2001-00045](#) - Request for an Addition to the “OT” Old Town Overlay District to Permit Multi-family Residential Development, Currently Zoned “LI” Limited Industrial. Generally Located at the Southeast Corner of Mead and Third Street. (District VI)

RECOMMENDED ACTION: Concur with the findings of the MAPC
and approve the zone change; place the
Ordinance establishing the zone change
on first reading;

OR

Return the application to the MAPC for reconsideration

- 64.* [PUD2001-00003](#) - Creation of Villa Christi Planned Unit Development with Two Parcels. Generally Located on the South Side of Second Street North Between St. Paul and Sheridan. (District IV)

RECOMMENDED ACTION: Concur with the findings of the MAPC
and approve the zone change to PUD
and the creation of the Villa Christi
Planned Unit Development, subject to
recommended conditions; instruct the
Planning Department to forward the
Ordinance for first reading when the
plat is forwarded to the City Council;

OR

Return the application to the MAPC for reconsideration

- 65.* [DP-240 - Request Plat Extension for Fountain Square C.U.P. Generally Located North of K-96 and West of Webb Road.](#) (District II)

RECOMMENDED ACTION: Approve one year extension of time
to complete platting to May 4, 2002;

OR

Deny the extension of time to complete
platting and declare C.U.P. null and void.

- 66.* [A01-14 – Request to Annex Land Generally Located at the Southeast Corner of 127th East and Harry.](#) (District II)

RECOMMENDED ACTION: Approve the Annexation and first reading
of the Ordinance.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City Ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion

67. [Learjet Way West - Street Side Pavement.](#)

RECOMMENDED ACTION: Approve budget increase; authorize
the necessary signatures.

68. [Tenant Improvements.](#)

RECOMMENDED ACTION: Approve the project.

69. [Midwest Corporate Aviation.](#)

RECOMMENDED ACTION: Approve the Agreement/Contract

70. [Drug Enforcement Administration - Addendum No. 11.](#)

RECOMMENDED ACTION: Approve; authorize necessary signatures.

71. [Grant Offers.](#)

RECOMMENDED ACTION: Accept offers; authorize
necessary signatures.

Adjournment
